

REMARKS

Claims 28-47 and 50-62 are pending in the current application. Claims 28, 40, and 45-47 are the independent claims.

The Office Action indicated that Claim 46 was rejected under 35 U.S.C. 112 as failing to comply with the written description requirement. In particular, the Examiner indicated that the elements “wherein the choice compensation is based on the supply and demand per user based on the viewing habit and/or demography of the user” is not supported by the specification. Applicant respectfully disagrees. However, to expedite allowance of the claims, Applicant has amended Claim 46 so that it is limited to the element “wherein the choice compensation is based on the ratings of the content being supplied,” which is supported on pages 12-13 of the specification.

The Office Action also indicated that Claims 28-39, 40-44, and 45-47 were rejected under 35 U.S.C. 112, as being indefinite. In particular, the Examiner indicated that in the independent claims, it is not clear whether “providing ... at least one program” means only one program, when a plurality of programs is implied. Applicant has thus amended the independent claims to be clear that content including “at least two programs” is provided. In addition, the Examiner suggested that “providing or” be deleted from the first step in the independent claims. Applicant has done so, except for Claim 47, which will be explained in detail below. Furthermore, the Examiner noted that the phrase “supply and demand” was unclear. Applicant respectfully disagrees. However, in order to expedite the allowance of the claims, Applicant has deleted the phrase “supply and demand” from all of the Claims except for Claim 50. In Claim 50, Applicant has clarified the phrase “supply and demand”.

The Office Action further indicated that Claim 47 was rejected under 35 U.S.C. 102(b) as being anticipated by Logan (U.S. 5,721,827). The Examiner indicated that Applicant needed to clarify Claim 47 so that a content provider provides content and advertising to a user, and then

provides an option to delete the advertising for a higher fee. Applicant has amended Claim 47 according to the Examiner's suggestion.

In addition, the Office Action indicated that Claims 28-33, 35-39, 40-45, and 47 were rejected under 35 U.S.C. 103 as being unpatentable over Logan because implicit in Logan is the availability of one program only. As previously explained, Applicant has amended the independent claims (except for Claim 47, which was amended as described above) so that it is clear that the content includes "at least two programs."

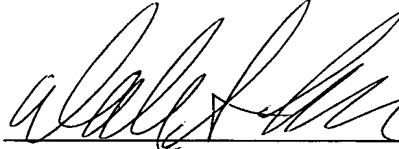
Finally, Claims 34 and 46 were rejected under 35 U.S.C. 103(a) as being unpatentable over Logan in view of Garg (U.S. 6,571,216). In particular, the Examiner indicated that Garg provides support for the choice compensation being based on the viewing habit or demography of a viewer/user. Applicant respectfully disagrees. However, in order to expedite the allowance of the claims, Applicant has amended Claim 46 so that the choice compensation is based on the ratings of the content being supplied. This element is supported on page 12, line 22 to page 13, line 5 of the specification. Claim 34 depends on an already allowed independent Claim 28, as explained above, and is also thus allowable.

For the reasons explained above, Applicant submits that Claims 28, 40, and 45-47 are allowable. Claims 29-39, 41-44, and 50-62 depend, either directly or indirectly, on Claims 28, 40, 45, 46 or 47, and are thus also allowable.

Applicants believe the objections and rejections in the Office Action have been addressed and that the application is now in condition for allowance. The Examiner is invited to contact the undersigned by telephone should the Examiner believe that personal communication will expedite prosecution of this application.

Respectfully submitted,

DLA PIPER RUDNICK GRAY CARY US LLP

A handwritten signature in black ink, appearing to read 'Dale Lazar', is written over a horizontal line.

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